

REMARKS

Claims 22-30 and 47-54 are now pending and stand rejected in the application. Claims 22, 29, 47, 52 and 54 are amended with this reply. Upon entry of the amendments, claims 22-30 and 47-54 remain pending.

Support for the amendments to claims 22 and 47 are found in the specification as originally filed, for example in paragraph 29. Applicants respectfully request entry of the amendments.

OBJECTION TO THE SPECIFICATION

Claim 29 has been amended, mooting the objection to the specification. Applicants respectfully request the objection be withdrawn.

DOUBLE PATENTING

Likewise, claim 54 has been amended to depend from claim 52 so that it is no longer a substantial duplicate of claim 49. Applicants would like to thank the Examiner for pointing this out.

REJECTION UNDER 35 U.S.C. § 112

Claim 52 has been amended to recite that the adhesive layer has a thickness of 0.005-0.09 inches. Applicants respectfully request that the rejection be withdrawn.

REJECTIONS UNDER 35 U.S.C. § 103

Claims 22-26, 28-30, and 47-54 are rejected as obvious over the Takahira reference (U.S. 6,395,360) in view of the Gerard reference (U.S. 5,929,167). Applicants respectfully traverse the rejection as applied to the amended claims and request reconsideration.

As a preliminary matter, applicants have amended claim 22 to insert the word “—and—” before the second occurrence of “wherein.” Applicants believe this amendment clarifies the scope of claim 22. Applicants respectfully submit that all other uses of “wherein” in the claims properly characterize their invention.

Independent claims 22 and 47 have been amended to recite a feature not taught or suggested in the combined references. Amended claims 22 and 47 recite that the expendable polymeric layer is made of a single polymeric material. The Takahira reference discloses a release liner that has at least three different layers. Even when combined, the references do not teach or suggest an expandable polymeric layer made of a single polymeric material as recited in the amended claims.

Support for the amendments to claim 22 and 47 is found, for example in paragraph [0029], where coextrusion techniques for producing the coextruded composite sheets are described. In discussing a preferred co-extrusion technique for making the A-B-A composite sheet, the specification states that “it is common to co-extrude the same material in adjacent ports in order to build up a thickness.” The specification goes on to describe producing a thicker layer by coextruding from three adjacent ports. The inevitable result of the coextrusion techniques taught in the specification, for example at paragraph [0029], is that the coextruded expendable polymeric layer will be made of a single polymeric material, since the specification teaches coextruding the same material in adjacent ports. In this regard, applicants note that literal or

ipsis verbis support for claim amendments is not required, as long as the specification fairly conveys that applicants were in possession of the claimed invention.

The Takahira reference, and the combined Takahira and Gerard references, in fact teach away from providing an A-B-A composite sheet wherein the expendable layer is made of single polyolefin material. Attention is respectfully drawn to column 2, lines 44-47;

In the present invention...a release liner has a laminated structure of at least three layers and each of these three layers is composed of a film layer having specific physical properties, ...

Columns 2-4 of the Takahira reference give examples of the compositions of the three layers. A release functioning layer **1** of Takahira is composed of a polyethylene film having a density of 0.88-0.92 grams-per-centimeter-cubed and a melt index not greater than 10 grams/10 minutes. *Column 3, lines 19-21*. A reinforcement layer **2** has a melting point of at least 120°C and more preferably at least 140°C. *Column 4, lines 10-12*. Finally, a surface film layer **3** has a thermal linear expansion coefficient similar to that of the release functioning layer **1**. *Column 3, lines 36-38*. It is preferably made of a material different from that of the release functioning layer **1**. *Column 3, lines 54-56*.

On the basis of the above passages from the primary reference, applicants respectfully submit that the reference teaches away from providing a release liner made of a single polymeric material, as recited in the amended claims. For this reason, there would be no motivation or apparent reason to modify what Takahira or its combination with Gerard would teach to arrive at the subject matter of the rejected claims.

The other rejected claims depend from either claim 22 or claim 47. Because according to the above discussion, the independent claims are patentable, so are the dependent claims.

For these reasons, applicants respectfully request that the rejection, as applied to the amended claims, be withdrawn.

Claim 27 is rejected as obvious over the combined Takahira and Gerard references, and further in view of the Schacht reference (U.S. 5,096,777). The deficiencies of the combined Takahira and Gerard references are described above as applied to the amended claims. The Schacht reference does not make up for those deficiencies. Accordingly, applicants respectfully request the rejection be withdrawn.

CONCLUSION

For the reasons discussed above, applicants believe that claims 22-30 and 47-54 are in a state of allowability and request an early Notice of Allowance. The Examiner is invited to telephone the undersigned if that would be helpful to resolving any issues.

Respectfully submitted,

Dated: September 25, 2008

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